

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS  
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID L. TOPPIN,  
JENNIFER TOPPIN,  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, as Trustee for RESIDENTIAL  
ASSET SECURITIZATION TRUST Series  
2013-A14, MORTGAGE PASS-THROUGH  
CERTIFICATES Series 2003-N,  
UPS CAPITAL BUSINESS CREDIT f/k/a  
FIRST INTERNATIONAL BANK,  
COMMONWEALTH OF  
MASSACHUSETTS,  
TOWN OF HOLDEN,  
TOWN OF AMHERST, and  
TOWN OF GARDNER,

Defendants.

Case No. 4:17-cv-40011-TSH

Judge Timothy S. Hillman

**MEMORANDUM OF *LIS PENDENS***

TO WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that on February 3, 2017, the plaintiff United States of America commenced an action in the United States District Court for the District of Massachusetts against the defendants, David L. Toppin, Jennifer Toppin, the Commonwealth of Massachusetts, and the Town of Amherst, Massachusetts, to enforce its liens that attached to a certain parcel of real property, and to sell the subject property free and clear of the rights, titles, claims, liens, and interests of all parties to the action. Specifically, the action is related to the parcel of real property located at 977 North Pleasant Street, Amherst, Massachusetts 01002, record title of which was conveyed by Richard Toppin and Linda A. Toppin, to Jennifer Toppin,

through a properly executed and delivered Quitclaim Deed dated July 25, 2003, and recorded on July 14, 2003, in the records of the Hampshire District Registry of Deeds, at Book 7316, Page 165, and which property is more particularly described as:

The land in Amherst, Hampshire County, Massachusetts, with buildings thereon, on the east side of North Pleasant Street, bounded and described as follows:

BEGINNING at the southwesterly corner of the premises hereby conveyed, which point is the northwesterly corner of premises now or formerly of Harold R. Hebert, thence

EASTERLY along land of said Hebert one hundred sixty (160) feet to land now or formerly of Robert C. and Florence M. Ames; thence

NORTHERLY along land of said Ames one hundred (100) feet to land now or formerly of Everett L. and Mabel M. Roberts; thence

WESTERLY on land of said Robertses one hundred sixty (160) feet to North Pleasant Street; thence

SOUTHERLY along North Pleasant Street one hundred (100) feet to the point of beginning.

BEING the same premises conveyed to the grantors by deed dated May 21, 1990 and recorded with the Worcester District Registry of Deeds in Book 3573, Page 0148.

This memorandum is based upon the declaration of Jeffrey N. Nunez and the *Plaintiff United States of America's Motion for Approval of Memorandum of Lis Pendens* (Dkt. No. 14), which were submitted in accordance with Mass. Gen. Laws ch. 184, § 15(b).

Dated: April 24, 2017

Respectfully submitted,

DAVID A. HUBBERT  
Acting Assistant Attorney General  
U.S. Department of Justice, Tax Division

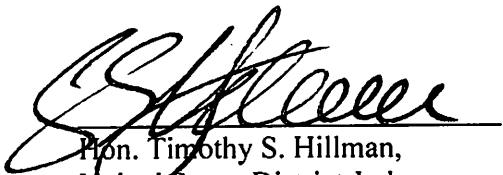
/s/ Jeffrey N. Nunez  
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Finding and Order of Approval of Memorandum of Lis Pendens

This cause came to be heard after notice and opportunity to be heard, upon motion for approval of a Memorandum of *Lis Pendens*, and upon consideration thereof, the Court hereby finds that the subject matter of the action in the above-captioned action constitutes a claim of right to title to real property or the use and occupation thereof or the building thereon.

Whereupon the Court hereby approves the above Memorandum of *Lis Pendens*.

SO ORDERED AND ENDORSED:

  
Hon. Timothy S. Hillman,  
United States District Judge –  
District of Massachusetts

5/18, 2017